

EXHIBIT 10

From: Alan Frank <afrank@alflaw.net>

Sent: Friday, June 23, 2023 4:16 PM

To: Michael Masri <mmasri@meltzerlippe.com>

Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>; Christopher J. Clarke <CClarke@meltzerlippe.com>; Kimberly Oringer <KOringer@meltzerlippe.com>; Debbie McGuckin <DMcGuckin@alflaw.net>

Subject: RE: Johnson v. Esports

1:30 on Monday is fine. We will circulate a conference call in number.

Alan L. Frank, Esquire

Alan L. Frank Law Associates, P. C.

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215.287.7601 – Mobile

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From: Michael Masri <mmasri@meltzerlippe.com>

Sent: Friday, June 23, 2023 4:13 PM

To: Alan Frank <afrank@alflaw.net>

Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>; Christopher J. Clarke <CClarke@meltzerlippe.com>; Kimberly Oringer <KOringer@meltzerlippe.com>

Subject: RE: Johnson v. Esports

Importance: High

I would prefer that we kept all communications on the same thread to avoid confusion.

In addition to Steven, please add Chris and Kim to these emails so as to keep everyone in the loop.

We understand that your schedule could not permit you to keep the meet and confer date and time that we previously agreed to (yesterday at 6:30pm). We are always willing to accommodate your schedule and appreciate your reciprocating this courtesy. If possible, we would also appreciate more advance notice of cancellations.

As previously informed, our team was not available today. This was due to other scheduled commitments including commitments involving the instant lawsuit.

We just received your client's document production and intend on reviewing same over the weekend. And, while I was drafting this email, we just received the outstanding interrogatory verification.

In addition to the issues raised in your below email of June 22 at 5:08 pm, we suggest that we meet and confer concerning:

1. Search terms and the number of custodians in connection with our client's document production (which we advised was on a continuing basis);
2. Deposition dates and remote depositions;
3. The overbroad topics in connection with the 30(b)(6) notice;
4. The affiliate interrogatory objection;
5. Confirming that the interrogatory response was not revised; and
6. Is your client's document production complete.

We are available to meet and confer between 12 and 4:30 on Monday and at 9 am on Tuesday. Please advise what date and time works for you (hopefully we will hear from you before 6pm today). If you are not available, please propose alternative dates and times.

Thanks and have a good weekend.

Michael Masri , Esq.
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From: Alan Frank <afrank@alflaw.net>
Sent: Thursday, June 22, 2023 5:08 PM
To: Michael Masri <mmasri@meltzerlippe.com>
Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>
Subject: RE: Johnson v. Esports

6:30 this evening will not work. How about tomorrow morning.

Here are the things that we need to address on our end:

1. The deposition date for the company's designee.
2. The deposition date for Jan Jones Blackhurst.
3. The deposition date for Waqas Khatri
4. The delivery date for your privilege log.
5. Affirmation that all responsive documents have been produced.

Please give us a time tomorrow that works best for you.

Thanks.

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From: Michael Masri <mmasri@meltzerlippe.com>
Sent: Thursday, June 22, 2023 10:25 AM

To: Alan Frank <afrank@alflaw.net>
Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>
Subject: RE: Johnson v. Esports

Steven is in a deposition. Does 6:30 work?

From: Alan Frank <afrank@alflaw.net>
Sent: Wednesday, June 21, 2023 5:40 PM
To: Michael Masri <mmasri@meltzerlippe.com>
Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>
Subject: Re: Johnson v. Esports

You have still not answered my question regarding the production of a designee on Tuesday. Let's meet and confer tomorrow please. Please pick a time. Thank you.

Sent from my iPhone

On Jun 21, 2023, at 5:28 PM, Michael Masri <mmasri@meltzerlippe.com> wrote:

Are you telling me that the day after I agree to your suggested protocol that you would serve a deposition notice unilaterally scheduling a deposition date?

And, when are you going to provide the verified interrogatories and produce all outstanding documents?

From: Alan Frank <afrank@alflaw.net>
Sent: Wednesday, June 21, 2023 5:19 PM
To: Michael Masri <mmasri@meltzerlippe.com>
Cc: Evan Frank <EFrank@alflaw.net>; Steven Frankel <SFrankel@meltzerlippe.com>
Subject: RE: Johnson v. Esports

Are you telling us now, for the first time, that you are not producing your designee on Tuesday? We noticed it weeks ago.

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From: Michael Masri <mmasri@meltzerlippe.com>
Sent: Wednesday, June 21, 2023 5:16 PM
To: Alan Frank <afrank@alflaw.net>
Cc: Evan Frank <EFrank@alflaw.net>
Subject: Re: Johnson v. Esports

Alan:

I hope that you are doing well.

I am surprised by your email because, as per our May 12/16 exchange, I confirmed that we would “cooperatively” schedule depositions at your suggestion.

Before scheduling depositions, I would appreciate if you corrected the failure to verify interrogatory responses and produced all responsive documents. Do you think you could address these items on or before June 30th? And, it is our understanding that Plaintiff will be deposed first.

Also, I am adding Evan and ask that you continue to add Steven Frankel to our emails.

Thank you.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Alan Frank <afrank@alflaw.net>
Sent: Wednesday, June 21, 2023 3:51:22 PM
To: Michael Masri <mmasri@meltzerlippe.com>
Subject: Johnson v. Esports

Confirming that your client is producing its designee this Tuesday in your Manhattan offices.

Alan L. Frank, Esquire
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